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6 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 OLASEBIKAN N. AKINMULERO,

9 Plaintiff,

10 v.

11 UNITED STATES ATTORNEY GENERAL,
et al.,

12 Defendants.
13

NO. C20-1135RSL

ORDER


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15 On August 6, 2020, plaintiff's application to proceed *in forma pauperis* was granted and
16 his complaint was accepted for filing. The complaint was defective, however, in that the named
17 defendants could not be held liable for damages under *Bivens v. Six Unknown Named Agents of*
18 *Federal Bureau of Narcotics*, 403 U.S. 388 (1971), and plaintiff has not adequately stated a
19 claim for review of agency action. Plaintiff was given an opportunity to file an amended
20 complaint (Dkt. # 6) and has now done so (Dkt. # 7).
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22 The amended complaint names the Department of Homeland Security, USCIS, as the
23 defendant and alleges that the agency acted arbitrarily and/or in violation of law when it
24 requested that plaintiff file a form I-212 seeking permission to reapply for admission to the
25 United States. Plaintiff alleges that he was previously granted a waiver of excludability and
26 continuous resident status. The Order for More Definite Statement is hereby VACATED. The
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28 ORDER - 1

1 Clerk of Court is directed to issue summons so that plaintiff may serve the summons and
2 complaint on defendant as set forth in Fed. R. Civ. P. 4(i).
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4 Dated this 5th day of October, 2020.

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6 Robert S. Lasnik
7 United States District Judge
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